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The situation of democracy and human rights in Haiti

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Letter dated 11 March 2004 from the Permanent Representative of Jamaica to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of the statement concerning developments in Haiti issued by the CARICOM Heads of Government at their emergency meeting, held on 2 and 3 March 2004 in Kingston, Jamaica (see annex).

I should be grateful if the text of the present letter and its annex were distributed as a document of the General Assembly, under agenda item 33, and of the Security Council.

(*Signed*) Stafford **Neil**
Ambassador
Permanent Representative

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Annex to the letter dated 11 March 2004 from the Permanent Representative of Jamaica to the United Nations addressed to the Secretary-General

Statement on the situation in Haiti

3 March 2004

CARICOM Heads of Government met on 2 and 3 March 2004 in Kingston, Jamaica, in an emergency session to consider the situation in Haiti.

The Heads of Government expressed dismay and alarm over the events leading to the departure from office of President Aristide and the ongoing political upheaval and violence in Haiti. They called for the immediate return to democratic rule and respect for the constitution of Haiti.

The Heads of Government recalled that the CARICOM Prior Action Plan had been developed with the full involvement of the United States, Canada, the Organization of American States and the European Union and fully endorsed by the international community. This initiative was guided by the need to preserve the rule of law and predicated on the precepts of shared government, binding both President Aristide and the legitimate opposition to specific commitments which would lead to a peaceful resolution of the political impasse respectful of the constitution and promoting the democratic process.

Heads of Government were disappointed by the reluctance of the Security Council to take immediate action in response to appeals for assistance by the Government of Haiti.

On Sunday, 29 February, the Security Council adopted resolution 1529 (2004), authorizing the deployment of a Multinational Interim Force to Haiti. This was what CARICOM had sought in the first place, but the decision was taken in circumstances quite different from those conceived in the CARICOM Plan since it followed immediately the departure from office of President Aristide.

They expressed the view that the circumstances under which the President demitted office set a dangerous precedent for democratically elected Governments everywhere as it promotes the unconstitutional removal of duly elected persons from office.

Reaffirming the fundamental tenets of governance within the Caribbean Community based on the Charter of Civil Society as well as the principles enshrined in the Quebec Declaration and the Inter-American Democratic Charter, Heads of Government stressed that these obligations must be used to determine the democratic nature of governance in Haiti. In this regard, no action should be taken to legitimize the rebel forces nor should they be included in any interim government. The Heads of Government also agreed that the issue of relations with the interim administration would be the subject of urgent review at the upcoming Inter-Sessional Meeting of the Conference.

Heads of Government were deeply perturbed at the contradictory reports surrounding the demission from office of the constitutionally elected President. These concerns were heightened by public assertions made by President Aristide

that he had not demitted office voluntarily. Heads of Government called for an investigation under the auspices of the United Nations to clarify the circumstances leading to his relinquishing the Presidency.

When CARICOM agreed to admit Haiti as a member of the Community, it was based on its determination to end years of isolation and bring Haiti into the Caribbean family to which it belongs by geography, history and common ancestry. Heads of Government reiterated their commitment to the people of Haiti and their intention to remain constructively engaged in the efforts to create the conditions considered necessary for their long-term safety, well-being and progress.

That commitment was most recently demonstrated in the initiative the Caribbean Community launched in January this year, with international support, to help resolve the long-standing impasse which has polarized the country.

In this regard they stressed that the Community would continue to support the political, economic and social development of its member State. Accordingly, Heads of Government mandated the CARICOM Secretary-General to establish a Task Force to coordinate CARICOM assistance to Haiti in those areas where it has the capacity. In keeping with Security Council resolution 1529 (2004), Heads of Government agreed to participation in the follow-on United Nations stabilization force, in efforts to provide humanitarian assistance, the rebuilding of the economy and civil society, and the reconstitution of the democratic structures, processes and institutions of the country. In the prevailing circumstances Heads of Government do not envisage their participation in the Multinational Interim Force authorized by the Security Council.

Heads of Government reiterated the importance of a return to constitutional democracy and expressed the wish to see the quick restoration of peace and stability in Haiti and the earliest return to constitutional democracy by working with the people of Haiti in a sustained effort to rebuild democratic institutions. They underlined that any approach to returning Haiti to a state of normalcy must include an economic and social development plan.

Heads of Government welcomed the appointment of a Special Adviser to the United Nations Secretary-General and committed themselves to working closely with him in these efforts. They stressed that creating the conditions for political stability, economic development and the institutional reconstruction of Haiti requires a long-term commitment on the part of the international community, including the international financial institutions.

The Heads of Government continue to be concerned about the security situation in Haiti. They affirmed that the disarmament of illegally armed groups must be an urgent priority. There are continuing reports that the situation in Port-au Prince is chaotic and, notwithstanding the presence of international military forces, respect for law and order is not in evidence. They deplored the loss of life, the destruction of private property and politically motivated attacks, including threats against members of the Government. They therefore called on the international forces to bring a stop to the lawlessness and reminded them of their legal obligation to do so.

Heads of Government deplored the present turmoil in Haiti leading to an outflow of Haitians, a situation which is placing strains on the resources of neighbouring States.

Heads of Government agreed to keep the evolving political situation under review with a view to determining further action in the interest of the Haitian people.